MATERIALS ON THE INTERNATIONAL PROTECTION OF HUMAN RIGHTS



VOLUME 1

Compiled by J. Claydon
Assisted by J. Hatfield

1982, revised August 1983

(These materials have been compiled and distributed on a non-profit basis solely for the internal use of students in the International Human Rights Law Seminars at Osgoode Hall Law School and the Faculty of Law at Queen's University and the University of Toronto.)

Store. K 3240.3 M662 1983 v.1

LAW LIBRARY

SEP 8 1983

FACULTY OF LAW
UNIVERSITY OF TOHORTO

FACULTY OF LAW LIBRARY UNIVERSITY OF TORONTO

MATERIALS ON THE INTERNATIONAL PROTECTION OF HUMAN RIGHTS

VOLUME 1

Compiled by J. Claydon
Assisted by J. Hatfield

1982, revised August 1983

(These materials have been compiled and distributed on a non-profit basis solely for the internal use of students in the International Human Rights Law Seminars at Osgoode Hall Law School and the Faculty of Law at Queen's University and the University of Toronto.)

Digitized by the Internet Archive in 2018 with funding from University of Toronto

TABLE OF CONTENTS

Page

Volume 1

Ι.		verview of International Human Rights: Philospphical, orical and Jurisprudential Perspectives	7
		L. Henkin, The Rights of Man Today 1-30 (1980)	7
		Leech, Oliver, Sweeney, The International Legal System 572-73 (1973)	25
		McDougal, Lasswell, Chen, The Protection of Aliens from Discrimination and World Public Order: Responsibility of States Conjoined with Human Rights, 70 Am. J. Int'l L. 432, 443-51 (1976)	26
		Lillich, "Intervention to Protect Human Rights", 15 McGill L. J. 205, 208-10 (1969)	29
		Humphrey, "The International Law of Human Rights in the Middle Twentieth Century", W. M. Bos (ed.), The Present State of International Law 75 (1973)	31
		Hauser, "International Protection of Minorities and the Right of Self-Determination", 1 Is. Ybk. Hum. Rts. 92, 95-97 (1971)	33
		Humphrey, supra	35
		Watson, "The limited Utility of International Law in the Protection of Human Rights", Proc. Am. Soc. Int'l L. 1-6 (1980)	53
II.		es of Content and Priorities: Western v. non-Western oaches	57
	Α.	Issues of Content and Priorities: General Introduction	
		Bilder, "Rethinking International Human Rights: Some Basic Questions" [1969] Wisc: L. Rev. 170, 173-79	57
		Excerpts from Report on the N.Y.U. Conference on the Teaching of International Protection of Human Rights, 13 N.Y.U.J. Int'l L & Pol. 881, 910-11 (1981)	63
	В.	Western v. Non-Western Approaches	
		(Reconsider Henkin, supra., 1-30) Bilder, "Rethinking International Human Rights", supra, 179-80	64

TABLE OF CONTENTS cont'd

		Pag
	Y. Dinstein, Excerpts from Report on the N.Y.U. Conference on the Teaching of International Protection of Human Rights, *upra*, 890-91	66
	Excerpts from Report on the N.Y.U. Conference on the Teaching of International Protection of Human Rights, supra , 948-49	67
	Henkin, The Rights of Man Today, supra, 55-73, 75-58	68
<i>r</i>	Reddaway, "Theory and Practice of Human Rights in the Soviet Union", in Kommers and Loescher eds., Human Rights and American Foreign Policy 115, 123 (1979)	85
	Newspaper Clippings	86
	Falk, Comparative Protection of Human Rights in Capitalist and Socialist Third World Countries", in Human Rights and State Sovereignty 125 (1980)	89
	Murphy, "Objections to Western Conceptions of Human Rights", 9 Hofstra L. Rev. 411 (1981)	97
II. Unilatera	1 State Action to Protect Human Rights	106
	Lillich, "A United States Policy of Humanitarian Intervention and Intercession", in Kommers and Loescher eds., Human Rights and American Foreign Policy 279-87 (1979)	106
Α.	The Use of Force to Protect Human Rights: Bangladesh, Entebbe, Iran	113
	Lillich and Newman, <u>International Human Rights:</u> Problems of Law and <u>Policy</u> 485-535 (1979)	113
	Note, "Resort to Force by States to Protect Nationals: The U.S. Rescue Mission to Iran and Its Legality Under International Law", 21 Va. J. Int'l L. 485, 506-09, 513-19 (1981)	144

TABLE OF CONTENTS cont'd

		Page
В.	Foreign Policy Initiatives	154
	Lillich and Newman, International Human Rights: Problems of Law and Policy 826-35, 846-47, (1979)	155
	W. Buckley, Jr., "Human Rights and Foreign Policy: A Proposal", 58 Foreign Affairs 775, 784-88 (1979-80)	164
	Newspaper Clipping	168
	Excerpts from the Department of State Bulletin, February 1983, 9-11, 42	169
	Newspaper Clippings	171
	Excerpts of Speeches by Dr. Mark MacGuigan	175
	Canadian Human Rights Foundation, <u>Background</u> <u>Paper</u> , Annual Confreence, 1983	181
	Newspaper Clippings	190
C.	Unilaterialism and Multilateralism: The Role of the World Bank and the International Monetary Fund in Promoting Human Rights	193
	Bowett, The Law of International Institutions 99-102 (3rd ed. 1975)	194
	Blaisdell, International Organizations 152-53 (1966).	196
	P. Fagen, "The Links between Human Rights and Basic Needs", Background (1978)	197
	<u>Human Rights Law Journal</u> 216-19 (1981)	203
	Schoulz, Politics, Economics, and U.S. Participation in Multilateral Developments Banks, 36 Int'l Org. 537, 558-566 (1982)	205
	Newspaper Clippings	211
	T. Farer, "Politics of the Absurd", 10 Human Rights 19 (1982)	214

TABLE OF CONTENTS cont'd

			Page
IV.	Imp	lementation Through the United Nations	218
	Α.	Sanctions: Southern Africa	218
		Lillich and Newman, <u>International Human Rights:</u> Problems of Law and <u>Policy 390-482 (1979) (edited)</u>	218
		Castel. International Law 1222-23 (3rd ed. 1976)	236
		Lillich and Newman (cont d)	237
		W. Maddrey, "Economic Sanctions Against South Africa: Problems and Prospects for Enforcement of Human Rights", 22 Va. J. Int'l L. 347 (1982)	256
		"Paris Declaration on Sanctions Against South Africa", Report of the International Conference on Sanctions Against South Africa, U.N., Doc A/CONF. 107/8, Paris, 20-27 May 1981, 36-47	277
		United Nations; <u>A Trust Betrayed</u> : Namibia 35-42 (1974)	283
		Newspaper Clippings	288